

## **AGENDA**

### **CONNECTICUT BOARD OF EXAMINERS OF EMBALMERS AND FUNERAL DIRECTORS**

**Tuesday, April 8, 2008 at 9:30 AM**

Department of Public Health  
410 Capitol Avenue, Hartford, CT  
**Conference F – Second Floor**

#### **CALL TO ORDER**

**I. MINUTES**

Review and approval of the minutes from the February 26, 2008 meeting.

**II. CHAIR UPDATES/CORRESPONDENCE**

**III. DEPARTMENT OF PUBLIC HEALTH UPDATES**

**IV. LEGAL OFFICE BUSINESS**

Robert Dzeidzic, Funeral Director - Petition No. 2005-1209-030-009

Plantsville Funeral Home – Petition No. 2005-1209-056-022

*Consent Orders Presented by Ellen Shanley, Staff Attorney, DPH*

#### **ADJOURN**

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on February 26, 2008 at the Department of Public Health, 410 Capitol Avenue, Conference Room 2F, Hartford, Connecticut.

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**BOARD MEMBERS PRESENT:** Celia Pinzi, Embalmer – Chairperson  
James Donohue  
Peter Hansen, Embalmer  
Daniel P. Jowdy, Embalmer  
John B. Sterry

**BOARD MEMBERS ABSENT:** None

**ALSO PRESENT:** Jeffrey A. Kardys, Board Liaison  
Jennifer Filippone, Section Chief, Department of Public Health  
Stephen Carragher, Health Program Supervisor, DPH  
Gary Griffin, DPH  
Diane Wilan, Staff Attorney, DPH  
Kerry Colson, Assistant Attorney General - *via telephone*

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Chairperson Celia Pinzi called the meeting to order at 9:37 a.m.

**I. MINUTES**

The minutes from the November 15, 2007 meetings were reviewed. Mr. Jowdy made a motion, seconded by Mr. Donahue, to approve the minutes as corrected. The motion passed unanimously.

**II. DEPARTMENT OF PUBLIC HEALTH UPDATES**

**Investigations Update**

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are 12 cases currently in various stages of investigation by the Department. 9 additional cases have been referred to the Department's Legal Office for further review.

**Pre-Need Accounts**

Jennifer Filippone, Section Chief, Department of Public Health reported that the DPH, Department of Consumer Protection, the Connecticut Funeral Directors Association and the Office of the Attorney General are actively discussing issues related to pre-need accounts. Presently there is no pending legislation regarding this issue.

Briarwood College

At the November 2007 meeting the Board reviewed a letter regarding a policy at Briarwood College requiring mortuary science students to obtain employment at funeral homes for the purpose of gaining experience in embalming of bodies.

Jennifer Filippone reported that the DPH does not regulate educational settings but is reviewing this issue to ensure that embalmings are being performed pursuant to statutes and regulations. An update will be provided at the April 8, 2008 meeting.

**III. NEW BUSINESS**

A. Petteway Funeral Home – Petition No. 2006-0120-056-002

The Board reviewed a Motion to Revoke Summary Suspension Order filed by respondent. Attorney David Gronbach was present on behalf of respondent. Stanley Peck, Section Chief, Legal Office was present on behalf of the Department of Public Health. The Department did not object to respondent's motion.

Mr. Hansen made a motion, seconded by Mr. Jowdy, to grant respondent's motion. The motion passed with all in favor except Ms. Pinzi who was recused.

B. Scheduled Hearing Date

Valerie Jones – Petition No. 2005-0802-030-011

A hearing in this matter will be scheduled for June 3, 2008 beginning at 10:30 a.m.

**IV. LEGAL OFFICE BUSINESS**

A. Thomas M. Gallagher, Embalmer - Petition No. 2005-0630-030-009  
SCI CT Funeral Service d/b/a Leo Gallagher & Sons Funeral Home  
Petition No. 2005-0630-056-010

Stanley Peck, Section Chief, Legal Office, Department of Public Health presented Consent Orders in these matters. Attorney Robert Simpson was present on behalf of respondents. Attorneys Peck and Simpson provided background information in these matters.

Mr. Jowdy made a motion, seconded by Mr. Sterry, to reject the Consent Orders as written. The motion passed with all in favor except Mr. Donohue.

Mr. Donohue made a motion, seconded by Mr. Hansen, to approve the Consent Orders with a modification to paragraph 3 in which "embalming" is changed to "restorative." Mr.

Donohue and Mr. Hansen voted in favor of the motion. Ms. Pinzi, Mr. Sterry and Mr. Jowdy were opposed. The motion failed.

The Board, by telephone conference, conferred with Assistant Attorney General Kerry Colson regarding procedures for recommending modifications to language in a proposed Consent Order.

Following lengthy discussion, Mr. Sterry made a motion, seconded by Mr. Jowdy, recommending that "embalming" be changed to "restorative" in paragraph 3 and that the proposed civil penalty be increased to \$5000.00 in each Consent Order. The passed with all in favor except Mr. Donohue who was opposed.

B. Michelle Balzano, Embalmer - Petition No. 2005-1214-056-016

Stanley Peck, Section Chief, Legal Office, Department of Public Health presented Consent Orders in these matters. Attorney Robert Simpson was present on behalf of respondent. Attorneys Peck and Simpson provided background information in this matter. Following a lengthy discussion, Mr. Hansen made a motion, seconded by Mr. Jowdy, to reject the Consent Order in that more information is need for the Board to make an informed decision.

The motion passed with all in favor except Mr. Donohue who was opposed.

C. SCI CT Funeral Service d/b/a Leo Gallagher & Sons Funeral Home  
Petition No. 2005-1209-056-021

Stanley Peck, Section Chief, Legal Office, Department of Public Health presented Consent Orders in these matters. Attorney Robert Simpson was present on behalf of respondent. Attorneys Peck and Simpson provided background information in this matter. Mr. Sterry made a motion, seconded by Mr. Jowdy, to reject the Consent Order in that more information is need for the Board to make an informed decision and to recommend an increase in the proposed civil penalty passed on the current information presented. The motion passed with all in favor except Mr. Donohue who was opposed.

D. Jonathan White, Embalmer - Petition No. 2005-1214-030-020

Stanley Peck, Section Chief, Legal Office, Department of Public Health presented Consent Orders in these matters. Attorney Robert Simpson was present on behalf of respondent. Attorneys Peck and Simpson provided background information in this matter. Mr. Hansen made a motion, seconded by Mr. Donohue, to approve the Consent Order. The motion passed unanimously. Ms. Pinzi signed the Order.

V. **ADJOURNMENT**

Mr. Hansen made a motion, seconded by Mr. Jowdy, to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 1:00 p.m.

Respectfully submitted,

Celia Pinzi, Chairperson  
Board of Examiners of Embalmers and Funeral Directors